



Commonwealth of Pennsylvania  
Pennsylvania Historical and Museum Commission  
Bureau for Historic Preservation  
Commonwealth Keystone Building, 2nd Floor  
400 North Street  
Harrisburg, PA 17120-0093  
www.phmc.state.pa.us

**EXHIBIT 3**

May 22, 2008

Karl Norell  
Ball Janik LLP  
1445 F. Street, NW, Suite 225  
Washington, DC 20005

TO EXPEDITE REVIEW USE  
BHP REFERENCE NUMBER

Re: ER 08-1408-042-B  
STB Docket No. AB-1020X: East Penn Railroad, LLC-Abandonment  
Exemption, Berks and Montgomery Counties, Pennsylvania

Dear Mr. Norell:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation as revised in 1999 and 2004. These regulations require consideration of the project's potential effect upon both historic and archaeological resources.

We are in receipt of the additional information you submitted concerning the history of the East Penn Railroad. It is the opinion of the State Historic Preservation Officer that the East Penn Railroad, Berks and Montgomery Counties is not eligible for listing in the National Register of Historic Places.

If you need further information in this matter please consult Susan Zacher at (717) 783-9920.

Sincerely,

A handwritten signature in cursive script that reads "Andrea MacDonald".

Andrea MacDonald, Chief  
Division of Preservation Services

AM/smz